

Subject: Re: BID Maintenance Agreements - Broadway

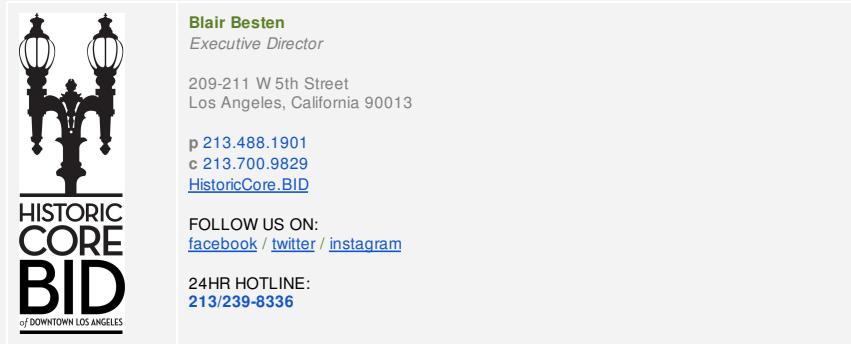
From: Blair Besten

Date: 06/25/2016 02:11 PM

To: Suzanne Holley

CC: Jessica Wethington Mclean <jessica.wethingtonmclean@lacity.org>, Julie Amaya <julie.amaya@lacity.org>, Pauline Chan <pauline.chan@lacity.org>, Valerie Watson <valerie.watson@lacity.org>, Rena Leddy <rena@fashiondistrict.org>, Brian Raboin <BRaboin@downtownla.com>

Thanks, Suzanne. Yes, we had decided to move forward together so the contracts looked similar, regardless over compensation or magnitude of duties!



On Fri, Jun 24, 2016 at 2:02 PM, Suzanne Holley <SHolley@downtownla.com> wrote:

My notes indicate that that reason that the BIDS were waiting to sign was that there were outstanding contract items to address. Those are listed on the attached. To my knowledge these items have not been finalized. I'm happy to work through them with you so that the DCBID may execute.

Thank you.

Suzanne Holley
SVP & Chief Operating Officer



Downtown Center Business Improvement District
626 Wilshire Blvd., Suite 200 | Los Angeles, CA 90017
Call: [213-416-0000](tel:213-416-0000) | Fax: [213-416-0858](tel:213-416-0858)
Web: DowntownLA.com



From: Jessica Wethington Mclean [mailto:jessica.wethingtonmclean@lacity.org]

Sent: Friday, June 24, 2016 1:57 PM

To: Rena Leddy

Cc: Blair Besten; Suzanne Holley; Julie Amaya; Pauline Chan; Valerie Watson

Subject: Re: BID Maintenance Agreements - Broadway

GREAT! Let's just get it done. Thanks, Rena!

Image removed by sender.



Jessica Wethington McLean

Executive Director, Bringing Back Broadway
Director, Downtown Economic Development

Office of City Councilmember José Huizar
200 N. Spring Street #465, Los Angeles, CA 90012

Jessica.WethingtonMcLean@lacity.org | 213-473-7014



On Fri, Jun 24, 2016 at 1:55 PM, Rena Leddy <rena@fashiondistrict.org> wrote:

Hi Jessica,

This is great. Here's some additional information - We spoke to Valerie Watson at DOT on Wednesday morning. We did not know that there was a belief that the BIDs wanted to enter the agreements simultaneously. We do not want to do that. We want to finalize our agreement and get paid! But, that is because we only have a few areas to maintain (unlike Historic Core who has the bulk of the areas). We are ready to sign the contract.

I can tentatively make the meeting and I'll confirm when we get closer.

Thanks !

Rena

From: Jessica Wethington Mclean [mailto:jessica.wethingtonmclean@lacity.org]

Sent: Friday, June 24, 2016 1:37 PM

To: Rena Leddy <rena@fashiondistrict.org>; Blair Besten <blair@historiccore.bid>; Suzanne Holley <S.Holley@downtownla.com>; Julie Amaya <julie.amaya@lacity.org>; Pauline Chan <pauline.chan@lacity.org>; Valerie Watson <valerie.watson@lacity.org>

Subject: BID Maintenance Agreements - Broadway

Hello Ladies,

It's come to my attention that the BID Maintenance Agreements for the Broadway project are still not completed, so no one is being paid for maintenance. (!)

I would like to set a meeting to go over where things stand, and hopefully resolve this long-standing process. I really appreciate the BIDs willingness to handle and be paid for maintenance, and I apologize - I thought this all was resolved.

I understand once the BIDs agree on the overall terms, then LADOT's Contract Administrator will finalize/tighten up the language before all parties sign, including City Atty.

I also understand all BIDs wanted to enter the agreements simultaneously, but we need to move this forward, so we will finalize contracts with each BID while resolving any remaining issues with the others, since the other way has taken, literally, years.

I'll be sending a calendar notice for Tuesday July 12 at 2pm. Hopefully that gives everyone enough time to dust off the previously discussed agreement, refresh your memories on any issues that were keeping them from being signed, and try to work it out amongst yourselves with the LADOT staff before the meeting, so when we meet it can be as quick, painless and productive as possible.

Please, by all means, let me know how I might be able to help with that. Please reply to me directly. If you have no issues with the previously proposed contracts - great!

Again, we really appreciate your collaboration and I'm sorry this hasn't been brought to the finish line much much sooner.

THANK YOU!

Jessica

Image removed by sender.

Jessica Wethington McLean

Executive Director, Bringing Back Broadway
Director, Downtown Economic Development

Office of City Councilmember José Huizar
200 N. Spring Street #465, Los Angeles, CA 90012

Jessica.WethingtonMcLean@lacity.org | 213-473-7014



----- Forwarded message -----

From: Suzanne Holley <SHolley@downtownla.com>

To: "Julie Amaya" <julie.amaya@lacity.org>

Cc: "Pauline Chan" <pauline.chan@lacity.org>, "Valerie Watson" <valerie.watson@lacity.org>, "Kent Smith" <kent@fashiondistrict.org>" <kent@fashiondistrict.org>, "Blair Besten (blair@historiccore.bid)" <blair@historiccore.bid>,

Ken Nakano <knakano@downtownla.com>
Date: Sat, 26 Sep 2015 01:13:34 +0000
Subject: RE: Planter fill and Plant Palette & Contract

Julie,

I'm following up on your request that I memorialize what was discussed at the 9/2/15 walkthrough with the DCBID as far as the contract terms that needed to be reviewed.

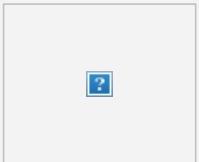
With regards to the contract the following items need to be addressed:

- Street Kits – clarify in the contract if the application methodology through the city (noted in Lan's 3/17/15 email attached) is to replace what is currently included (that would be the preference)
- Events – it was discussed at our 7/24 walkthrough that it should be clarified that the BIDs would not be responsible for any damage due to events
- New palette – the contract should reflect the specifications below rather than what is currently included
- Deficiencies – Will these be addressed with an “as-is” letter per Kent’s request in the attached email dated 5/27/15?
- Labor Costs – the BIDs are to provide updated costs; for the DCBID I still do not have confirmation of how the city minimum wage increase will impact us (Chrysalis may elect not to take the exemption) – how should this be addressed in the contract?

Kent & Blair - please jump if you think there is anything that I've missed.

Thanks all.

Suzanne

 **Suzanne Holley**
Vice President & Chief Operating Officer

Downtown Center Business Improvement District
626 Wilshire Blvd., Ste. 200, Los Angeles, CA 90017

*direct [\(213\) 416-7538](tel:(213)416-7538)
fax [\(213\) 624-0858](tel:(213)624-0858)
email sholley@downtownla.com
go to www.DowntownLA.com*



From: Julie Amaya [mailto:julie.amaya@lacity.org]
Sent: Wednesday, September 02, 2015 2:04 PM
To: Suzanne Holley; Ken Nakano
Cc: Pauline Chan; Valerie Watson
Subject: Planter fill and Plant Palette

Hi Suzanne and Ken

It was a pleasure meeting with you this morning below you will find the Planter fill and Plant Palette for Broadway.

Thanks!

Planter Fill Specifications

Light Weight Potting Soil

Sand

Sump with Filter drain sock and drain cap

Filter Fabric Roll

Fill Ratio: 0.48 yards of sand, 0.48 yards of soil

Weight when filled: 700 lbs

Plant Materials

Two palettes could be used.

Primary palette - hardy, drought-tolerant species - use Wandering Jew as centerpiece, with other species planted in groupings around the periphery of the pot:

Purple Wandering Jew (if used, planted in contained pot so as not to take over other plants)

Dudleya pulverulenta

Dudleya brittonii

Echeveria runyonii

Echeveria elegans

Secondary palette - Colorful, low-water species that would grow together in a "living tapestry" to fill out the planter - not to be planted alone, but together:

Epilobium canum var. *latifolium* 'Everett's Choice' - Everett's California Fuchsia

Lessingia filaginifolia 'Silver Carpet' - Silver Carpet Beach Aster

--



Julie Amaya

Active Transportation Division | Project Assistant
Los Angeles Department of Transportation
Tel.: [213-928-9704](tel:213-928-9704)

----- Forwarded message -----

From: Kent Smith <kent@fashiondistrict.org>
To: Julie Amaya <julie.amaya@lacity.org>, "Blair Besten' (blair@hdlabid.com)" <blair@hdlabid.com>, Suzanne Holley <SHolley@downtownla.com>
Cc: Pauline Chan <pauline.chan@lacity.org>, Rena Leddy <rena@fashiondistrict.org>, Elmer Pacheco <elmer@fashiondistrict.org>, Randall Tampa <rtampa@fashiondistrict.org>, Jackie Sanchez <jackie@fashiondistrict.org>, Jose Gonzalez <jose@fashiondistrict.org>
Date: Wed, 27 May 2015 21:19:39 +0000
Subject: RE: Update, BID agreement for your consideration- Broadway Dress Rehearsal

Julie,

We are prepared to execute the contract for the Broadway Dress rehearsal as written. Please note our correct address below which should replace the address you have on Page 2 of the contract.

However before we sign the contract there should be a formal inspection of the planters and surface area with all the deficiencies noted and addressed. We are assuming the warranty period of the original installation is now over.

Our cursory inspection of the installation notes the following deficiencies:

1. Damaged planters and bollards
2. Insufficient soil in some planters
3. Missing plants in some planters
4. Missing drainage spout covers in some planters
5. Street surface uneven with loose gravel present
6. Drainage problems as a result of #5 above.
7. The number of chairs, tables and umbrellas needs to be inventoried to ensure none have gone missing.

We would suggest that some of these deficiencies should be corrected before the formal responsibility is taken on by the Fashion District BID. Other deficiencies could be acknowledged in a separate letter to remain in an "as is" condition on takeover. This might be best coordinated with my BID colleagues in Historic Downtown & Downtown Center BIDs so we take the same approach with each deficiency listed above.

Please contact us with some dates for the final inspection.

Thanks

Kent Smith,

Executive Director

LA Fashion District BID

110 E. 9th Street, Ste. A-1175

Los Angeles, CA 90079

[213.488.1153](tel:213.488.1153) Ex. 712

kent@fashiondistrict.org

From: Julie Amaya [mailto:julie.amaya@lacity.org]

Sent: Tuesday, May 26, 2015 8:24 AM

To: Kent Smith; 'Blair Besten' (blair@hdlabid.com); Suzanne Holley

Cc: Pauline Chan

Subject: Re: Update, BID agreement for your consideration- Broadway Dress Rehearsal

Hi Kent, Blair, Suzanne

This was formerly forwarded on March 13, 2015 and we are agreeable to executing if you are. If you have any changes or comments please let us know by June 15, 2015.

Thank you!

----- Forwarded message -----

From: Lan Nguyen <lan.nguyen@lacity.org>
To: Suzanne Holley <SHolley@downtownla.com>
Cc: Kent Smith <kent@fashiondistrict.org>, "Blair Besten' (blair@hdlabid.com)" <blair@hdlabid.com>, "Pauline (H) Chan" <[pauline.chan@lacity.org](mailto: pauline.chan@lacity.org)>, Julie Amaya <julie.amaya@lacity.org>
Date: Tue, 17 Mar 2015 19:25:42 +0000
Subject: Re: Update, BID agreement for your consideration, and upcoming timeline - Broadway Dress Rehearsal
Herewith please find documents and files per your request.

Agreement

Kent - Your file is identical to that sent earlier except signatories updated due to City personnel changes.

Suzane and Blair - Yours is identical to Kent's. I am sorry for the formatting difference so the pagination is different between yours and Kent's but rest assured, it's 1400% identical except for the compensation. Again, I need you to look at the compensation in light of the potential LWO. If it does not apply ad if it does apply so we can set aside the correct amount.

New Surface

I do not know when the decomposed granite will be removed EXACTLY but I do think work will commence, and finish, by the end of the year if all goes well so we don't run into the holiday construction moratorium, and also adversely impact your businesses in any way during busy shopping peaks. The surface treatment that will follow is what we places as the BASE of the crosswalks that you see in black. It's called "Durblend." It is a concrete polymer that is thin but very strong that can be applied in a thin coat to match almost any pigment. It is liquid so it fills in cracks but hardens to concrete. It has been able to withstand car traffic thus far on Broadway (again, the black stripes.) Please see pix attached for both the tint and pattern which will be applied. There are two colors shown in the sample, gold and brown. The final color will be a composite of these that have performed best in the field test. If you wish to see the test patch, they are on the east side across from Grand Central Market at midblock.

Furniture

As for the maintenance of the furniture, I am very happy to send a file that has the executed agreements with the existing folks. We did it in this way: it's an "application" and the folks "won" the right as long as they abide by the rules, which they signed. It expires in July 2015. I can self renew these if you wish so it can last through 2016 should you want, or do the same "contest" and you can award the furniture, or in this case, approve the owner for having furniture kits. I only could find 3 scanned in my files, but you get the picture. Julie in our office can try to locate and scan the others to you should you need it

On Mon, Mar 16, 2015 at 4:44 PM, Lan Nguyen <lan.nguyen@lacity.org> wrote:

Great questions. I will answer them around noon tomorrow when I stop by my office to forward you some of the material that's at work.

Lan [626-712-3295](tel:626-712-3295)

On Mar 16, 2015, at 4:39 PM, Suzanne Holley <SHolley@downtownla.com> wrote:

Thank you Lan.

I have spoken with Kent and Blair and we will review the contract and revert back with any comments or questions. In the interim, can you:

- forward the district specific contracts for the DCBID and HCBID?
- provide timing on when the decomposed granite will be removed and let us know what, if any, surface treatment will follow that removal?
- advise what agreements have been executed directly with property owners with regards to the maintenance of the furniture?

From: Lan Nguyen [<mailto:lan.nguyen@lacity.org>]

Sent: Friday, March 13, 2015 4:35 PM

To: Kent Smith; 'Blair Besten' (blair@hdlabid.com); Suzanne Holley

Cc: Pauline (H) Chan; Julie Amaya

Subject: Update, BID agreement for your consideration, and upcoming timeline - Broadway Dress Rehearsal

Dear Kent, Blair and Suzanne -

First I want to thank all 3 of you for your immense patience during this time.

WATERING

I want to apologize for not reaching out earlier to tell you that the contractor stopped watering on 2/1/15 in anticipation of the BIDs taking over maintenance.

Because we have not yet executed an agreement yet, this matter fell through the cracks for the past 45 days and I WANT TO THANK

- 1 - KENT from FDBID for responding to my call and immediately saying he would water his portion until we can meet to finalize the agreement; and
- 2 - BENITO of Grand Central Market for taking care of watering the planters from 3rd to 4th until Suzanne can execute their agreement

Blair - At this time, may I ask if you can think of how to reach out to the areas covered by your BID to help me implement an immediate watering fix of the planters since they really look parched :-(**Thank you for helping bridge this gap until we can execute your agreement asap.**

MAINTENANCE AGREEMENT

Herewith please find a draft of the Agreement specific to FDBID and incorporate your final comments from last year. The only changes are minor personnel changes. Other changes are highlighted in red so it would jump right out at you, and I'd be happy to explain my thinking.... basically we are going to remove the surface soon, YOU WILL BE APPRISED IN A TIMELY MANNER, so your contract may be cut short during that time, but you'd know about it well in advance so you'd do no work during the construction period. (I'm only sending Kent's but the other 2 BIDs' agreements are identical.)

The respective parts in purple, and the compensation, are the only things that will be different among the 3 agreements.

COMPENSATION

The compensation amount highlighted in green in the agreement is residual language from the last agreement. It will be modified to reflect the cost figures associated with the possible requirement of City Living Wage provisions so do not worry about that either.

PROPOSED MAINTENANCE AGREEMENT TIMELINE

3/13/15 - Email draft for consideration

by 3/20/15 - Walk through project with each respective BID in their areas, receive their concerns and modify Agreement, if needed, and process BID signatures.

Week of 3/23/15 - Get CITY signatures by 3/31/15

4/1/15 - Fully executed agreement in effect.

THANK YOU ALL and please let me know of your discomfort in any way. I am just finishing up work previously started and did not add anything extra